#### Montana State Parks & Recreation Board

Helena, Montana December 19, 2013

**Present:** Tom Towe, Chair; Diane Conradi (by telephone); Jeff Welch; Mary Sexton; Doug Smith; Jeff Hagener, Director FWP and Board Secretary; Chas Van Genderen, FWP; Roger Semler, FWP; Tom Reilly, FWP; Maren Murphy, Parks Planner, FWP; Matt Marcinek, Regional Park Manager (R-4); Chet Crowser, Regional Park Manager (R-2)

Guests: See Board file folder for sign-in sheet.

Tom Towe, Chair, opened the meeting.

## **Approval of October Meeting Minutes**

Without objection, the Board dispensed with the reading of the October meeting minutes.

**Motion:** By: Mary Sexton - To approve the minutes of the October meeting of the

Montana State Parks and Recreation Board.

Second: Jeff Welch.

Vote: Motion carried unanimously.

# **Approval of October Expenses**

Expenses of the October meeting of the Montana State Parks and Recreation Board of \$4294.02 were approved by consensus.

## **Election of Vice Chair**

**Motion:** By: Doug Smith - To nominate Mary Sexton for Vice Chair.

Second: Jeff Welch.

**Motion:** By: Doug Smith – That nominations cease and that we cast a unanimous

ballot for Mary Sexton. Second: Jeff Welch.

Vote: Motion carried unanimously.

### **Board Member Reports**

Chairman Tom Towe commented favorably on the trip to Whitefish State Park and Les Mason State Park. Also visited were Yellow Bay and Finley Point on Flathead Lake. He reported on a trip to Peru and Ecuador where he saw one of the world's most spectacular national parks, Machu Picchu, and the Galapagos Islands. He mentioned there are no docks in the Galapagos Islands.

Mary Sexton commented she had a visit from both Roger and Colin, and the visit was primarily about the bear management rule and the Smith River. There will be a year of volunteer compliance and then looking at alternatives for rental of equipment for floaters so that it is a fairly seamless transition to doing bear management on the river. She also attended the SCORP public meeting in Great Falls where there were five or six people, all very supportive. She stated the document offers a lot of guidance of where parks and recreation may be going in the future.

Jeff Welch toured the Three Forks parks with Jerry Walker in October. He was impressed by Lewis and Clark Caverns. He learned about the primitive parks statute and suggested a presentation on the history and legalities of that at a future meeting including Headwaters State Park and Buffalo Jump and a number of others.

Doug Smith reported he attended an open house in late October in Makoshika for the installation of the new Park Manager. Friends of Makoshika organization which provides support for that park and was impressed with that. In November he visited Lake Elmo State Park in Billings. He and Doug Habermann want to discuss ideas for new state parks in eastern Montana. He met with Tom Flowers, the new Region 6 Manager, who also wants to see more state parks in eastern Montana. He suggested this Board needs to develop criteria for selection of new state parks. He was invited to attend the Citizen's Advisory Council for Region 6 in January and Director Hagener will attend. Doug Smith is also on the Missouri River Country Tourism Board, and they published a new travel planner.

Diane visited with Region 2 folks and got a ground tour. She was impressed with how much they do with so little. Region 2 has a variety of parks from historical sites to Travelers' Rest to Milltown reclamation site to an emerging state park at Fish Creek. She visited Milltown. There is a lookout tower at Fish Creek that needs repair, an opportunity for a possible sponsorship. Fort Owen is a rich historical site that has management challenges.

### **Director/Staff Report**

Director Jeff Hagener noted that whenever there are three or more board members together it is considered a quorum of the Board and has to be publicly noticed in advance. Any time they meet as a quorum, if they are going to take action, the Department is supposed to let the public know. Action cannot be taken on an item that has not been publicly noticed.

Regarding the April 9<sup>th</sup> and 10<sup>th</sup> meeting, on the afternoon of the 9<sup>th</sup> there will be a joint session with the Fish and Wildlife Commission. He asked the Board to think of issues or concerns for discussion.

Director Hagener noted the uncertainly of federal funding and will be updating the Board.

Negotiations with DNRC regarding trust lands have been positive. Chairman Towe asked about a legal opinion and Chas Van Genderen said he would follow up for the next meeting.

Director Hagener said there would be a review of land acquisition processes. Currently the Department owns around 450,000 acres in fee title, and part of that is parks. The bulk of it is

wildlife management areas but also fishing access sites, hatcheries, etc. There are 450,000 acres in conservation easements. An internal committee will work on the review, and Diane Conradi will represent the Parks and Recreation Board. Chairman Towe asked about criteria for state parks acquisition and the charge of the committee. Director Hagener said that disposition will be part of the discussion, but the primary purpose is for acquisition and operation maintenance. Jeff Welch suggested that the criteria should be a primary part of the strategic plan. Currently there is no universal quality standard for state parks. He advocated a higher standard than there has been. In the parks system we are looking for places of exemplary value to the residents of Montana whether natural, cultural or historical. Chas Van Genderen noted the Division has established those criteria in policy that represent significance, feasibility, support within the community and the state. He agreed this needed to be discussed as part of the strategic plan. We also need to look at classification.

Chas Van Genderen reported he attended the Montana Heritage Commission meeting. The MOU will be evaluated. There will be a 75<sup>th</sup> Anniversary Celebration of the parks system video to be aired during the Olympics. Jerry Walker and Deb McRae will be retiring. In 2014 an RFP will go out for a campsite reservation system with the State of Idaho.

Director Hagener replied to a question from Chairman Towe regarding an issue with the different cultures of Fish and Wildlife and Parks stating that is being addressed. Chairman Towe hoped for a good working relationship between the two boards. Jeff Welch suggested meeting individually with our counterparts from the Commission in our regions. Mary Sexton thought any tensions were from the current period of transition. More people want outdoor recreation experiences other than hunting and fishing.

## Public Comment for items not on agenda

Jocelyn Dodge, a member of the public, testified she has been with the Forest Service for 22 years and for most of it has had a relationship with FWP regarding trails and recreation opportunities and hoped for more opportunities to provide connections for recreation and tourism with the Board.

Heidi O'Brien, Helena Tourism Alliance and Tourism Business Improvement District, commented on the impact on tourism and the Helena economy from a mountain biking program called Biking Helena.

Bob Walker, Our Montana, spoke to the increasing need for interagency cooperation. The Interagency OHB Workgroup brings together the Forest Service, the BLM, DNRC and FWP to talk about OHB related issues. He hoped the workgroup would address issues beyond OHB. He is Chair of the Western Montana Resource Advisory Council for the BLM as a volunteer. In January they will discuss setting up a workgroup to inventory and study how to adequately address future management of federal lands in Montana. He felt alternatives to federal funding need to be found.

Chere Jiusto, Montana Preservation Alliance, commented on interagency cooperation and the needs of the cultural side of the parks program. Montana cultural parks are the jewel in the

crown, including Ulm Pishkun, Bannack, and Pictograph Caves. These parks are an asset and a responsibility and need protection with staff trained in preservation, archaeology, architecture, etc., as well as adequate funding. She advocated for sharing resources. The Alliance would like to be part of the process.

Mary Sexton commented on the presence of a concessionaire from Lewis and Clark Caverns and the future of public/private partnerships.

## Statewide Comprehensive Outdoor Recreation Plan (SCORP) - Final

Maren Murphy, Parks Planner, stated public comment on the draft plan was generally in support and some suggestions and feedback were incorporated into the final plan. Expansion of non-motorized multiple use trails and mountain biking opportunities received the most discussion. Other things discussed were the importance of collaboration, sustainable funding sources, the expansion of motorized recreation trails, protection of natural resources, community involvement and volunteerism, health, education and tribal relations. Letters to editors provided support for the plan.

Staff recommended the Board concur with the Parks Division to approve the Final SCORP and submit it to the Governor for signature and then to the National Park Service (NPS). This maintains Montana's eligibility to receive federal funding for community recreation grants.

**Motion:** By: Mary Sexton moved that the Board endorse the 2014-2018 Statewide

Comprehensive Outdoor Recreation Plan and forward it to the Governor's

Office for signature. Second: Doug Smith.

Vote: Motion carried unanimously.

-Break-

## <u>Commercial Use Fee Rule – Final</u>

Roger Semler, Asst. Administrator of Chief of Operations, presented the Commercial Use Fee Rule as it pertains to the state parks system for final approval and adoption. The proposed Commercial Use Permit Fee Rule was posted for a 30-day public comment period on November 5, 2013. One public comment was received expressing support for commercial use fees as a source of revenue for state parks with suggested conditions that commercial use does not deface property or disrupt visitor enjoyment. State Parks staff recommended the Board adopt the Commercial Use Permit Fee Rule as proposed. Some amendments to the A.R.M. rule will be proposed in the future.

**Motion:** By: Diane Conradi moved that the Board adopt the Commercial Use Permit

Fee Rule as proposed. Second: Mary Sexton.

Vote: Motion carried unanimously.

## **OHV Grants Concurrence – Final**

Tom Reilly, Asst. Administrator presented the OHV grants for the current grant cycle that were presented to the Board for tentative approval and approval to proceed with the public comment process was granted. No public comments were received on the OHV grants for this cycle. Staff recommendation was to award the 11 OHV grants as scored, prioritized and discussed with the citizen's Off Highway Vehicle Advisory Committee members, with a total funding amount of \$185,000 for the 2013/2014 grant cycle. There was no public comment.

**Motion:** By: Mary Sexton moved the Board concur with the agency decision to award

the \$185,000 in OHV grant funds.

Second: Jeff Welch.

Vote: Motion carried unanimously.

# **Board Policy on Capital**

Chas Van Genderen, Parks Administrator, presented board policy on capital projects with an estimated cost of more than \$5,000 for final approval. The agency urged the Board to pursue Alternative A, establishing policy to guide its decisions and agency staff in compliance with the law. The board held discussion and there was no public comment.

**Motion:** By: Mary Sexton moved to adopt this policy for 'Approval of Capital' for

Montana State Parks actions in the future.

Second: Doug Smith.

Vote: Motion carried unanimously.

# North Shore/Giant Springs State Park Easement Adjustment – Final

Matt Marcinek, Regional Park Manager (R-4), stated at the August 28, 2013 meeting, the Montana State Parks & Recreation Board approved a 30-day public comment period on the proposed amendment to the Lewis & Clark Heritage Greenway Conservation Easement. Dali, LLC is requesting approval for an easement over the Greenway for construction of a railroad spur. When constructed, the rail spur would provide a rail connection to the proposed Great Bear Innovation Industrial Park on land owned by Dali, LLC. A mitigation package was developed with PPL Montana to offset the loss in conservation values from this proposal. This involved acquisition of a nine-acre parcel of land, surveying and fencing of the conservation easement boundary, and public trail construction. Dali, LLC approved the mitigation package. Public comment included a public meeting held on October 22, 2013, with 7 members of the general public attending as well as Dali, LLC owner Joe Stanek, two articles regarding the proposed amendment ran in the *Great Falls Tribune*, one on 10/17 and one on 10/23 and five (5) emails of support.

The agency recommended support for the amendment and the Board held discussion. Mary Sexton, Jeff Welch, and Chairman Towe spoke in favor. There was no public comment.

**Motion:** By: Doug Smith moved that the Board authorize Montana Fish, Wildlife

& Parks to amend the Lewis & Clark Heritage Greenway Conservation

Easement in order to allow PPL Montana to grant a rail easement to Dali, LLC, contingent upon successful implementation of the approved mitigation package.

Second: Mary Sexton

Vote: Motion carried unanimously.

# **Big Arm Lease Extension – Proposed**

Roger Semler, Asst. Administrator of Operations, brought the Big Arm State Park Lease Renewal Proposal to the Board. Big Arm State Park is one of the most popular and important state parks in the system. It received an average of 35,000 visitors a year. The Agency recommended to maintain this state park as a highly significant public recreational resource for the benefit of Montana residents and their guests by renewing this lease for a two-year period. The amount referenced included \$2,500 for Elmo, and that will be separated out. There was a two percent annual fee increase from DNRC.

Doug Smith asked about fees. Mr. Semler indicated revenue generated is significant. Mary Sexton supported the recommendation. There was no public comment.

**Motion:** By: Jeff Welch moved that Big Arm State Park Lease No. 10058 be renewed

with DNRC for two years through February 28, 2016 while the department

seeks a better long term solution.

Second: Mary Sexton.

Vote: Motion carried unanimously.

### Fish Creek Management Plan – Proposed

Chet Crowser, Regional Park Manager (R-2), presented the proposal for the Fish Creek Management Plan. The park was acquired in 2010 in conjunction with the Fish Creek Wildlife Management Area, and is the largest park in western Montana. Camping, motorized and non-motorized trail systems would be included.

State Parks staff recommended the Board authorize the Parks Division to solicit public comment on a proposed Draft Fish Creek State Park Management Plan for review and final consideration at the February 2014 Board meeting.

The Board would not be approving funding at this time. Doug Smith asked that plans and costs for development be brought to the committee. Within the next ten years, the hope is that new visitor services will be proposed. There are many old logging roads in the area in various conditions. Mary Sexton thought there were opportunities for partnerships.

### **Public Comment:**

Bob Romney, Western Montana Trail Riders Association, inquired if OHV routes outside of the management would be considered. Chet Crowser indicated there would be opportunities in the state park parcel and not in the wildlife management area or other surrounding lands.

Roger Tulberg, Western Montana Trail Riders Association, indicated the group of about 50 members is committed to help with the OHV routes. They are applying for some grants through Polaris.

Jim Mayfield, Western Montana Trail Riders, described a site survey of what was open and closed in the area. Their interest was in finding logging trails that would require little or no work to open up to assist in designing the route of an ATV trail through the park. They also looked at adjacent land.

Greg Beardslee, Montana Mountain Bike Alliance, inquired about the comment period. If approved today, this would go out for a public comment from December 20<sup>th</sup> through January 24<sup>th</sup>.

Doug Smith asked if the railroad blocks access to the river. Chet Crowser replied there is only one point of access at the end of a primitive trail to the mouth of Fish Creek on the Clark Fork River.

Chairman Towe asked about the wildlife management and state land in the area. Chet Crowser explained the primary wildlife management area extends to the south. There are DNRC parcels checker- boarded throughout all the properties. Chairman Towe commented on the use of existing logging roads for motorized trails and was in favor of the project.

Mary Sexton asked about concession contract opportunities. There would be that potential in the plan. Jeff Welch asked who the park was for. It would serve Montana residents and visitors. Jeff Welch commented on how West Yellowstone does a good job of balancing user groups. Chas Van Genderen noted there is little motorized recreation opportunity in Mineral County and there is a need develop their tourism economy. The Hiawatha Trail in that area offers mountain biking. Mary Sexton noted these recreation opportunities will depend on the cooperation of the surrounding landowners, DNRC and FWP. Chet Crowser explained the various zones in the area. Jeff Welch commented that the most popular parks have an identity. Maren Murphy noted the plan will be available for download on the website and hard copies are available. There will be two public meetings in January in Superior and Missoula.

**Motion:** 

By: Jeff Welch moved that the Board approve the Parks Division to seek public comment for the proposed Draft Fish Creek State Park Management Plan for 35 days starting from December 20 to January 24,

and present the final plan at the February 2014 Board meeting.

Second: Mary Sexton.

Vote: Motion carried unanimously.

# **Budget and Legislative Priorities**

Chas Van Genderen, Parks Administrator, presented Budget and Legislative Priorities. The division budget must be reviewed by the Board before submission to the Governor's Office of

Budget and Program Planning. This will include capital requests, a description of long range building program requests exceeding \$250,000 and legislative proposals.

Following board approval, priorities will be used to develop operating and capital budget requests submitted to the Department Director for his consideration and then on to the Governor's Office for consideration in the development of the Executive Budget and Legislative dossier.

Chas Van Genderen reviewed the document that was provided. On the issue of concessions, the Board preferred that contracts for concessions be extended 20 or more years. Chas Van Genderen agreed, but advised we have to build visitation since the model for the future is for concessionaires to build the facilities. Jeff Welch asked about the top three priorities. Chas Van Genderen replied we need to make some adjustments to legislation, including the contracting question, also how we acquire state parks including potentially a temporary moratorium. Staffing resources need to increase. Funding is needed to address capital needs. Examples were the need to rewire Lewis and Clark Caverns, a fire alarm system at Bannock, and hooking to city water at Makoshika. Director Hagener noted that if a proposal is to come through the legislative process, a placeholder must be submitted followed by more. Mary Sexton favored looking at other funding sources whether concession, commercial or grant opportunities and asking for approval for those. The Board has the authority already to increase camping fees.

The budget and legislative priorities presented were broad and do not bind the board or the division but represent general direction upon which to build more formal requests.

### **Public Comment:**

Burt Hopeman, Concessionaire, Lewis and Clark Caverns, endorsed the idea of 20 or more years for the contracts. He encouraged the Board to include the language "including but not limited to" in extending the length of the contracts.

**Motion: Mary Sexton** moved that the Board adopt the Division Budget and Legislative priorities with the suggested amendments.

Second: Jeff Welch.

Vote: Motion carried unanimously.

Chairman Towe recalled the comments of Rep. Ankney to increase camping fees and get some really good camps along the interstate highway. Creative ideas will be needed to fund state parks.

The next meeting will be held February 25-26. The Board can meet by conference call, if needed, as long as it is publicly noticed.

12:00 p.m. Adjourned